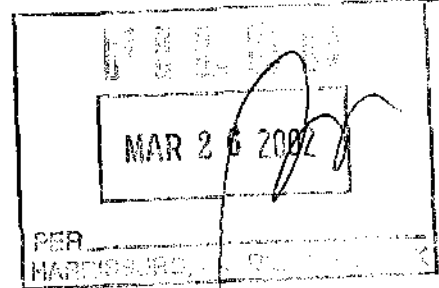


2004

ORIGINAL



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LABORERS LOCAL UNION 158,
LABORERS LOCAL UNION 158
HEALTH AND WELFARE FUND
and LABORERS LOCAL UNION
158 PENSION FUND,

Plaintiffs,

vs.

VIRBITSKY CONSTRUCTION
COMPANY, INC. and THOMAS
VIRBITSKY,

Defendants.

CASE NO. 1:01-CV-0983

(Judge Kane)

REQUEST FOR DEFAULT JUDGMENT

**TO: MARY E. D'ANDREA, CLERK OF THE UNITED STATES
DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA**

Upon the Affidavit of Jason M. Weinstock, Esquire, and Paul
DeSanto, attached hereto, you will please enter judgment by default against
Defendants in the above-captioned matter for \$2,484.08.

Respectfully Submitted,

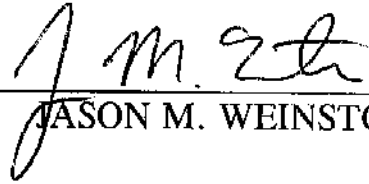
IRA H. WEINSTOCK, P.C.

800 North Second Street

Harrisburg, PA 17102

Phone: 717-238-1657

By: _____

A handwritten signature in black ink, appearing to read "J M Weinstock", written over a horizontal line.

JASON M. WEINSTOCK

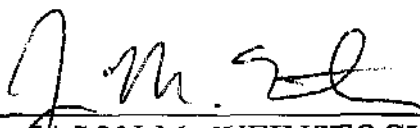
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LABORERS LOCAL UNION 158,	:	
LABORERS LOCAL UNION 158	:	
HEALTH AND WELFARE FUND	:	
and LABORERS LOCAL UNION	:	
158 PENSION FUND,	:	
	:	
	:	
Plaintiffs,	:	CASE NO. 1:01-CV-0983
	:	
vs.	:	(Judge Kane)
	:	
	:	
VIRBITSKY CONSTRUCTION	:	
COMPANY, INC. and THOMAS	:	
VIRBITSKY,	:	
	:	
	:	
Defendants.	:	

AFFIDAVIT OF JASON M. WEINSTOCK

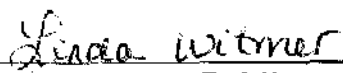
Jason M. Weinstock, Esquire, being duly sworn, says that he is the attorney for the Plaintiffs in the above action; that the amount due the Plaintiffs from the Defendants is \$2,484.08, as appears from the statement attached hereto; that the Defendants are not an incompetent organization; that the default of the Defendants has been entered for failure to appear in this action; that the amount shown by the Statement is justly due and owing and that no part thereof has been paid; that the disbursements sought to be taxed have been made in this action or

will necessary be incurred herein; and that all credits to which the Defendants are entitled have been made in this action or necessarily will be made.

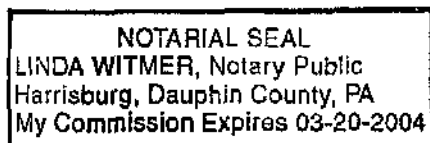


JASON M. WEINSTOCK

SWORN and Subscribed to and
before me this 26th day of
March, 2002.



Notary Public



STATEMENT

Liquidated damages owed to Health & Welfare Fund from 04/00 through 07/00	\$ 428.40
Interest owed to Health & Welfare Fund on Delinquent Contributions from 04/00 through 07/00	\$ 347.14
Liquidated damages owed to Pension Fund from 04/00 through 07/00	\$ 221.34
Interest owed to Pension Fund on Delinquent Contributions from 04/00 through 07/00	\$ 179.35
Costs (filing fee for Complaint)	\$ 150.00
Certified mailing of Complaint	\$ 7.90
Process Server	\$ 149.95
Attorney's Fees	\$ <u>1,000.00</u>
TOTAL	\$ 2,484.08

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LABORERS LOCAL UNION 158,	:	
LABORERS LOCAL UNION 158	:	
HEALTH AND WELFARE FUND	:	
and LABORERS LOCAL UNION	:	
158 PENSION FUND,	:	
	:	
	:	
Plaintiffs,	:	CASE NO. 1:01-CV-0983
	:	
vs.	:	(Judge Kane)
	:	
	:	
VIRBITSKY CONSTRUCTION	:	
COMPANY, INC. and THOMAS	:	
VIRBITSKY,	:	
	:	
	:	
Defendants.	:	

AFFIDAVIT OF PAUL DESANTO

Paul DeSanto, being duly sworn, says that he is the Administrator of the Laborers' Local Union No. 158 Health & Welfare and Pension Funds.

Your deponent further affirms that the Defendants failed to contribute monies owing to the Health and Welfare Fund and the Pension Fund and the Local Union for the months of April 2000 through July 2000. As a result, there exists a delinquency of \$2,484.08.

Paul Desanto
PAUL DESANTO

SWORN and Subscribed to
and before me this 26th
day of March, 2002.

Linda Witmer
Notary Public

NOTARIAL SEAL
LINDA WITMER, Notary Public
Harrisburg, Dauphin County, PA
My Commission Expires 03-20-2004